
HOUSE BILL 1526

State of Washington

56th Legislature

1999 Regular Session

By Representative Keiser

Read first time . Referred to Committee on .

1 AN ACT Relating to the use of nonoriginal crash parts for the
2 repair of motor vehicles; adding a new section to chapter 48.30 RCW;
3 and adding a new chapter to Title 19 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds and declares as a
6 matter of public policy that the purpose of this chapter is to regulate
7 the use of nonoriginal crash parts by requiring disclosure when any use
8 is proposed of nonoriginal equipment manufacturer's crash part, and by
9 requiring that the manufacturers of such nonoriginal crash parts be
10 identified.

11 NEW SECTION. **Sec. 2.** The definitions in this section apply
12 throughout this chapter unless the context clearly requires otherwise.

13 (1) "Nonoriginal crash part" means a replacement for any of the
14 nonmechanical sheet metal or plastic parts that generally constitute
15 the exterior of a motor vehicle, including inner and outer panels.

16 (2) "Nonoriginal equipment manufacturer crash part" means
17 nonoriginal crash parts not made for or by the manufacturer of the
18 motor vehicle.

1 (3) "CAPA approved nonoriginal equipment manufacturer nonoriginal
2 crash part" means nonoriginal crash parts not made for or by the
3 manufacturer of the motor vehicle that have been approved by the
4 certified automotive parts association.

5 (4) "Motor vehicle body shop" means a person or business
6 establishment that removes, replaces, reconditions, or repairs
7 nonoriginal crash parts.

8 NEW SECTION. **Sec. 3.** Any nonoriginal equipment manufacturer crash
9 part used in the repair of a motor vehicle in this state after the
10 effective date of this act shall have affixed thereto or inscribed
11 thereon the logo or name of its manufacturer. Such manufacturer's logo
12 or name shall be visible after installation whenever practicable.

13 NEW SECTION. **Sec. 4.** No insurer shall specify directly or
14 indirectly the use of nonoriginal equipment manufacturer crash parts in
15 the repair of an insured's motor vehicle without disclosing the
16 intended use of such parts to the insured. In all instances where
17 nonoriginal equipment manufacturer crash parts are intended for use by
18 an insurer:

19 (1) The written estimate shall clearly identify each nonoriginal
20 equipment manufacturer crash part to be used;

21 (2) The written estimate shall also clearly identify whether each
22 part is a CAPA approved nonoriginal equipment manufacturer crash part;
23 and

24 (3) A disclosure document containing the following information in
25 no smaller than ten-point type shall appear on or be attached to the
26 insurer's copy of the estimate:

27 THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE
28 CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF
29 YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT
30 PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THESE
31 PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.

32 NEW SECTION. **Sec. 5.** A motor vehicle body shop may not use
33 nonoriginal equipment manufacturer crash parts unless the motor vehicle
34 body shop discloses in writing to the motor vehicle owner at the time
35 of the repair that the motor vehicle body shop will be using
36 nonoriginal equipment manufacturer crash parts. Such disclosure must

1 include a description of each nonoriginal equipment manufacturer crash
2 part that the motor vehicle body shop intends to use including whether
3 each such part is a CAPA approved nonoriginal equipment manufacturer
4 crash part.

5 NEW SECTION. **Sec. 6.** The legislature finds that the practices
6 covered by this chapter are matters vitally affecting the public
7 interest for the purpose of applying the consumer protection act,
8 chapter 19.86 RCW. A violation of this chapter is not reasonable in
9 relation to the development and preservation of business and is an
10 unfair or deceptive act in trade or commerce and an unfair method of
11 competition for the purpose of applying the consumer protection act,
12 chapter 19.86 RCW.

13 NEW SECTION. **Sec. 7.** Sections 1 through 3, 5, and 6 of this act
14 constitute a new chapter in Title 19 RCW, and section 4 of this act
15 constitutes a new section in chapter 48.30 RCW.

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